

2005, that is, within a month from the mailing of the Advisory Action. As the instant Amendment and Request for Continued Examination (RCE) is being submitted to the PTO within two months from the date of filing the Notice of Appeal, no extension fee is now due.

Applicant respectfully requests that the amendments in the instant RCE be entered in accordance with 37 CFR § 1.114 and with the Manual of Patent Examining Procedure (MPEP) § 706.07(h). The instant application was filed on January 11, 2000, claiming priority from U.S. Provisional Application No. 60/116,247, filed on January 14, 1999. As the instant application is an application for a utility patent that was filed under 35 U.S.C. 111(a) after June 8, 1995, and as the last office action was a Final Office Action closing the prosecution in the application, Applicants respectfully point out that they are entitled under 37 CFR §§ 1.114 (a) and (d) to have a first submission entered and considered on the merits after final rejection.

Applicant has enclosed herewith a submission and an authorization to charge the fee of \$790 as set forth in 37 CFR § 1.17(e), and note that the finality of the Office Action, mailed from the PTO on March 18, 2005 is thereby automatically withdrawn. Should any fees, in addition to the 1.17(e) fee, be determined to be necessary in connection with this paper, Applicants respectfully request that any such additional fees be charged to Deposit Account No. 12-0615.